

3:14-CR-00225-FAB
USA v. Fernandez-Santos

Hearing set for 9:00 AM Hearing started at 10:00 AM Hearing ended at 11:30 am

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MINUTES OF PROCEEDINGS:

HONORABLE FRANCISCO A. BESOSA, SENIOR U.S. DISTRICT JUDGE

COURTROOM DEPUTY: Migdalia García-Cosme
Court Reporter: Robin Dispenzieri
Court Interpreters: Maria Ceballos and Mayra Cardona

Date: January 14, 2025
Case No. 14-cr-00225 (FAB)

Attorneys:

UNITED STATES OF AMERICA

AUSA Julian N. Radzinski

v.

DIEGO FERNANDEZ-SANTOS (1)

AFPD Samuel P. Carrión

CASE CALLED FOR A FINAL HEARING ON REVOCATION OF SUPERVISED RELEASE.

Present were AUSA Julian N. Radzinski, AFPD Samuel P. Carrión, and USPO Grace Moringlane. Defendant Fernández-Santos was present, under custody and assisted by a certified court interpreter.

AFPD Carrión began by informing that his client would not be contesting the final allegation contained in the motion filed by the USPO at docket No. 118, which is the positive result of the drug test, a grade C violation. The Court clarified that it is grade B violation because in order for to defendant be able to use drugs, he has to possess it. All other allegations were contested.

AFPD Carrión called USPO Grace Moringlane to the witness stand and sworn testimony was heard. Direct, cross and redirect examination was conducted. Defendant's exhibits A, A-1, B, and B-1 were admitted into evidence. AUSA Radzinski presented his case based on the testimony and evidence presented at the suppression hearing and at the trial in Crim. No. 23-063. Arguments from both parties were heard. AFPD Carrión requested a sentence of time served, and AUSA Radzinski requested a sentence of five (5) years of imprisonment. The defendant refused to provide an allocution.

After having heard the parties, the Court found by preponderance of the evidence that the defendant violated the conditions of supervised release previously imposed on him

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and REVOKED the term. Sentence imposed: Imprisonment for a term of sixty (60) months, and upon release of confinement, a term of supervised release of one (1) year under the same conditions previously imposed. AFPD Carrión objected the sentence imposed as substantively unreasonable. The Court replied to the objection and denied the same. All terms and conditions are specified in the judgment of revocation form. The defendant was advised as to his right to appeal, etc.

S/ Migdalia García-Cosme
Courtroom Deputy Clerk